

EXHIBIT A

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**MINORA, MINORA, COLBASSANI,
KROWIAK, MATTIOLI & MUNLEY**

Amil M. Minora
John J. Minora
Joseph S. Colbassani
Edward G. Krowiak

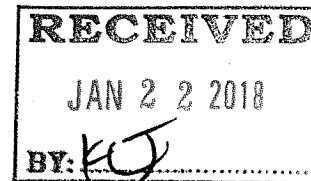
ATTORNEYS AND COUNSELORS AT LAW
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Jason J. Mattioli
Thomas W. Munley
Paul J. Ware
John R. Williams
Michael J. Ossont

January 15th, 2018

ATTN: LEGAL

Kindercare Education, LLC
650 NE Holladay Street – Suite 1400
Portland, OR 97232



VIA CERTIFIED and FIRST CLASS MAIL

RE: Emil Oressey and Mary Lou Oressey, his wife v. KinderCare Education, LLC, et al.
D.O.A: 01-14-2016
Docket No: 18-CV-37
Our File No: 17776-AMM

To Whom It May Concern

Please be advised that I have been retained to represent the interests of Mr. & Mrs. Emil Oressey for injuries he sustained when he fell at Kindercare Learning Center located at 511 Morgan Highway, Scranton, Pennsylvania 18508.

At this time, I am hereby enclosing a time-stamped copy of the Complaint that was recently filed against you in the Court of Common Pleas of Lackawanna County. In accordance with the rules of Pa.R.C.P., you have twenty (20) days to either file a response to Plaintiffs' Complaint or hire an attorney to represent your interests.

I did attempt to serve the learning center directly, however, it seems that you have closed the aforementioned institution.

Please be guided accordingly.

Very truly yours,

MINORA, MINORA, COLBASSANI,
KROWIAK, MATTIOLI & MUNLEY

Amil M. Minora, Esquire

AMM/cpg
Enclosures:

AMIL M. MINORA, ESQUIRE

Minora, Minora, Colbassani, Krowiak, Mattioli & Munley
700 Vine Street
Scranton, PA 18510
Phone: 570-961-1616
Fax: 570-558-1110
Attorney I.D: 22703
Attorney for Plaintiffs

EMIL ORESSEY and MARY LOU ORESSEY,
his wife
222 10th Avenue
Scranton, PA 18504,

Plaintiffs

vs.

KINDER CARE EDUCATION, LLC a/k/a d/b/a
KINDER CARE LEARNING CENTERS, LLC
511 Morgan Highway
Scranton, PA 18508

and

ALLIED HEALTH CARE SERVICES
475 Morgan Highway
Scranton, PA 18508,

Defendants

: IN THE COURT OF COMMON PLEAS

:

: OF LACKAWANNA COUNTY

:

: CIVIL ACTION LAW

:

: JURY TRIAL DEMANDED

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: No:

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LACKAWANNA COUNTY
CIVIL DIVISION

18 cv 37

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed against you and a Judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may loose money or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Northern PA Legal Services
507 Linden Street, Suite 300
Scranton, PA 18503
(570) 342-0184

Pennsylvania Lawyer Referral Services
Lackawanna Bar Association
338 North Washington Avenue, 3rd Floor
Scranton, PA 18503
(570) 969-9161
(570) 969-9170 – Business Fax

AMIL M. MINORA, ESQUIRE

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 Phone: 570-961-1616
 Fax: 570-558-1110
 Attorney I.D: 22703
 Attorney for Plaintiffs

EMIL ORESSEY and MARY LOU ORESSEY,	:	IN THE COURT OF COMMON PLEAS
his wife	:	
222 10 th Avenue	:	OF LACKAWANNA COUNTY
Scranton, PA 18504,	:	
Plaintiffs	:	CIVIL ACTION LAW
	:	
vs.	:	JURY TRIAL DEMANDED
	:	
KINDERCARE EDUCATION, LLC a/k/a d/b/a	:	
KINDERCARE LEARNING CENTERS, LLC	:	
511 Morgan Highway	:	
Scranton, PA 18508	:	
	:	
and	:	
	:	
ALLIED HEALTH CARE SERVICES	:	
475 Morgan Highway	:	
Scranton, PA 18508,	:	
Defendants	:	No: 18 CV 37

LACKAWANNA COUNTY
 2018 JAN -2 A 9:54
 CIVIL DIVISION

COMPLAINT

AND NOW, come the Plaintiffs, EMIL ORESSEY and MARY LOU ORESSEY, his wife, by and through their counsel, AMIL M. MINORA, ESQUIRE, and hereby complains of the Defendants, KINDERCARE EDUCATION, LLC a/k/a d/b/a KINDERCARE LEARNING CENTERS, LLC and ALLIED HEALTH CARE SERVICES, as follows:

1. The Plaintiffs, EMIL ORESSEY and MARY LOU ORESSEY, his wife, are two adult and competent individuals residing at 222 10th Avenue, Scranton, Lackawanna County, Pennsylvania 18504.
2. The Defendant, KINDERCARE EDUCATION, LLC a/k/a d/b/a KINDERCARE LEARNING CENTERS, LLC, is a registered corporation organizing and existing in the State of Oregon, doing business in Pennsylvania with an address of 511 Morgan Highway, Scranton, Lackawanna County,

Pennsylvania 18508. Said KINDERCARE EDUCATION, LLC, et al., is a daycare/childcare institution.

3. The Defendant, ALLIED HEALTH CARE SERVICES, is a registered Pennsylvania corporation, doing business at 475 Morgan Highway, Scranton, Lackawanna County, Pennsylvania 18508.
4. For all intents and purposes, upon information and belief, it is Plaintiff's understanding that the Defendant, KINDERCARE EDUCATION, LLC, et al., rents/leases and/or operates their business out of the building located at 511 Morgan Highway, Scranton, Pennsylvania which is owned by Defendant, ALLIED HEALTH CARE SERVICES.
5. On or about January 14th, 2016 around 7:30PM, Plaintiff, EMIL ORESSEY, was a business invitee of Defendant, KINDERCARE LEARNING CENTER, LLC, et al., as the Plaintiff was attending a school play for a child that was enrolled at the daycare center.
6. On the aforesaid date and time, Plaintiff, EMIL ORESSEY, while attempting to exit the center after the school's play, tripped and fell over a defective and broken step in the middle of the staircase, resulting in serious injuries including but not limited to:
 - a. right knee injuries resulting in a tendon rupture requiring surgery; and
 - b. right leg edema/swelling;
7. The fall in question was caused solely by the negligence and carelessness of Defendant, KINDERCARE LEARNING CENTERS, LLC, et al., and no way due to any act or failure to act upon part of the Plaintiff, EMIL ORESSEY.
8. The negligence and carelessness of Defendant, KINDERCARE LEARNING CENTERS, LLC, et al., consisted of the following:
 - (a) defendant knew or should have known that a dangerous condition existed;
 - (b) defendant failed to reasonably inspect the steps/staircase of the daycare center in order to protect customers;
 - (c) defendant failed to reasonably inspect the steps/staircase of the daycare center in order to avoid any injuries or harm to the public;
 - (d) defendant allowed for a dangerous condition to exist for a reasonable length of time without proper inspection of same;

- (e) defendant failed to properly warn patrons that a dangerous condition existed and take the proper safety precautions to prevent Plaintiff's accident and injuries.

- 9. The Plaintiff's fall and injuries are a direct result of the negligence and carelessness of said Defendant, KINDERCARE EDUCATION, LLC, et al., and in no way did Plaintiff, EMIL ORESSEY, contribute to his fall and/or injuries.

COUNT I

NEGLIGENCE

EMIL ORESSEY

vs.

KINDERCARE LEARNING CENTERS, LLC

- 10. Paragraphs 1 through 9 of the Complaint are hereby incorporated herein by reference as if same were set forth fully at length.
- 11. As a direct and proximate result of the negligence of the Defendant, the Plaintiff, EMIL ORESSEY, has experienced great pain and suffering, and claim is made therefore.
- 12. As a direct and proximate result of the negligence of the Defendant, the Plaintiff, EMIL ORESSEY, was unable and has been unable to attend to his usual duties and affairs, and he will be unable to attend to them for an indefinite time in the future to his great detriment and loss, and claim is made therefore.
- 13. As a direct and proximate result of the negligence of the Defendant, the Plaintiff, EMIL ORESSEY, was forced to incur liability for medical treatment, medications, hospitalizations and similar miscellaneous expenses in an effort to restore himself to health, and claim is made therefore.

14. As a direct and proximate result of the negligence of the Defendant, the Plaintiff, EMIL ORESSEY, has been advised and, therefore, avers that he may be forced to incur similar expenses in the future, and claim is made therefore.
15. As a direct and proximate result of the negligence of the Defendant, the Plaintiff, EMIL ORESSEY, has undergone and in the future will undergo great physical and mental suffering, great inconvenience in carrying out his daily activities, loss of life's pleasures and enjoyment, and claim is made therefore.
16. As a direct and proximate result of the negligence of the Defendant, the Plaintiff, EMIL ORESSEY, has been and in the future will be subject to great humiliation and embarrassment, and claim is made therefore.
17. As a direct and proximate result of the negligence of the Defendant, the Plaintiff, EMIL ORESSEY, continues to be plagued by persistent pain and limitation and, therefore, avers that his injuries may be of a permanent nature, causing residual problems for the remainder of his lifetime, and claim is made therefore.

WHEREFORE, Plaintiff, EMIL ORESSEY demands judgment in his favor and against the Defendant, KINDERCARE EDUCATION, LLC a/k/a d/b/a KINDERCARE LEARNING CENTERS, LLC, in an amount in excess of Fifty Thousand (\$50,000.00) Dollars, plus all allowable interest and costs.

COUNT II

NEGLIGENCE

EMIL ORESSEY

vs.

ALLIED HEALTH CARE SERVICES

18. Paragraphs 1 through 17 of the Complaint are hereby incorporated herein by reference as if same were set forth fully at length.

19. At the time of Plaintiff's fall, Defendant, ALLIED HEALTH CARE SERVICES, owned the building in which co-defendant, KINDERCARE EDUCATION, LLC, et al., operated their business in, making ALLIED HEALTH CARE SERVICES, vicariously liable for Plaintiff's injuries.
20. Defendant, ALLIED HEALTH CARE SERVICES, had a legal obligation to maintain, fix and repair any and all hazardous defects located on their property at 511 Morgan Highway, Scranton, Pennsylvania.
21. Defendant, ALLIED HEALTH CARE SERVICES, had a legal obligation to ensure the safety and security of the patrons who visited their building and to protect the public from any potential dangerous conditions that may exist on said property.
22. Defendant, ALLIED HEALTH CARE SERVICES, is vicariously liable in which they failed to uphold their legal obligations by allowing their renter and/or leasee to operate an institution with broken and neglected steps when as the property owner, should have been aware of said hazardous conditions upon inspection of said property.

WHEREFORE, Plaintiff, EMIL ORESSEY demands judgment in his favor and against the Defendant, ALLIED HEALTH CARE SERVICES, in an amount in excess of Fifty Thousand (\$50,000.00) Dollars, plus all allowable interest and costs.

COUNT III

LOSS OF CONSORTIUM

MARY LOU ORESSEY

vs.

KINDER CARE EDUCATION, LLC a/k/a d/b/a KINDERCARE LEARNING CENTERS, LLC and
ALLIED HEALTH CARE SERVICES

23. Plaintiff incorporates paragraphs 22 of the Complaint as if same were fully set forth at length herein.
24. As a result of the aforementioned injuries sustained by her husband, Plaintiff, EMIL ORESSEY, Plaintiff, MARY LOU ORESSEY, has been and may in the future be deprived of the care,

companionship, consortium, and society of her husband all of which will be to her great detriment, and a claim is made therefore.

WHEREFORE, Plaintiff, MARY LOU ORESSEY, demands judgment in her favor and against the Defendant, KINDERCARE EDUCATION, LLC a/k/a d/b/a KINDERCARE LEARNING CENTERS, LLC and ALLIED HEALTH CARE SERVICES, in an amount in excess of Fifty Thousand (\$50,000.00) Dollars, plus all allowable interest and costs.

Respectfully Submitted,

MINORA, MINORA, COLBASSANI,
KROWIAK, MATTIOLI & MUNLEY

A handwritten signature in dark ink, appearing to read 'Amil M. Minora', is written over a horizontal line.

AMIL M. MINORA, ESQUIRE
Attorney for Plaintiffs
Attorney I.D. 22703

700 Vine Street
Scranton, PA 18510
Phone: 570-961-1616
Fax: 570-558-1110

VERIFICATION


I, EMIL ORESSEY, hereby verify that I am the Plaintiff in the present action; that I have reviewed the facts set forth in the foregoing COMPLAINT and they are true and correct to the best of my knowledge, information and belief. We understand that false statements made herein are subject to the penalties of 18 PA C.S.A. Section 4904 relating to unsworn falsification to authorities.



EMIL ORESSEY

VERIFICATION

I, MARY LOU ORESSEY, hereby verify that I am the Plaintiff in the present action; that I have reviewed the facts set forth in the foregoing COMPLAINT and they are true and correct to the best of my knowledge, information and belief. We understand that false statements made herein are subject to the penalties of 18 PA C.S.A. Section 4904 relating to unsworn falsification to authorities.



MARY LOU ORESSEY

AMIL M. MINORA, ESQUIRE

Minora, Minora, Colbassani, Krowiak, Mattioli & Munley
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Scranton, PA 18510
Phone: 570-961-1616
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Attorney I.D: 22703
Attorney for Plaintiffs


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511 Morgan Highway	:	
Scranton, PA 18508	:	
	:	
and	:	
	:	
ALLIED HEALTH CARE SERVICES	:	
475 Morgan Highway	:	
Scranton, PA 18508,	:	
Defendants	:	No:

CERTIFICATE OF SERVICE

I, AMIL M. MINORA, ESQUIRE, Counsel for Plaintiffs, do hereby certify that I have served PLAINTIFFS' COMPLAINT directed to Defendant, KINDERCARE EDUCATION, LLC a/k/a d/b/a KINDERCARE LEARNING CENTERS, LLC, upon the following person(s) by depositing the same in the United States Mail, certified, return receipt requested and first class mail, postage pre-paid, addressed as follows:

Kindercare Education, LLC
650 NE Holladay Street – Suite 1400
Portland, OR 97232

Date: 1/15/18


AMIL M. MINORA, ESQUIRE
Attorney for Plaintiffs
Attorney I.D. 22703